

United States District Court
Eastern District of Wisconsin

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Michael D. Gray
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(Full Name of Plaintiff or Plaintiffs)
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vs
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Fed ex Smart post
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(Full Name of Defendant or Defendants)

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

'09 SEP 21 P12 :08

No.

09-C-0911
JON V. ANFILIPPO
CLERK

(Supplied by Clerk)

COMPLAINT

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?

☐ YES

☒ NO

B. Have you begun other lawsuits in state or federal court?

☐ YES

☒ NO

C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

1. Parties to the previous lawsuit

Plaintiff(s) none

Defendant(s) _____

2. Court in which lawsuit brought (if federal court, name district: if state court, name the county) _____

3. Docket number _____
4. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending)? _____

5. Approximate date of filing lawsuit _____
6. Approximate date of disposition _____

II. PARTIES

A. Your name (PLAINTIFF) Michael D. Gray

B. Your Address 819 S. 36th Milwaukee WI 53215

(If there is more than one plaintiff, use the margin for extra space if you need it. List the address only if it is different from the address listed above).

C. DEFENDANT (name) Fed-ex Smartpost

D. Defendants address 16555 W. Rodgers New Berlin, WI

E. Additional DEFENDANTS (names and addresses) _____

III. STATEMENT OF CLAIM (follow instructions carefully)

State briefly as possible the *essential facts* of your case. Tell what each defendant did to you that caused you to file this suit against them. If you are complaining about more than one wrong, use a separate **numbered** paragraph for each wrong, and describe each wrong in that paragraph and only that paragraph. State only the facts. *Do not give any legal theories or arguments, do not cite any cases or statutes. Do not feel you have to use all the space.* USE NO MORE THAN THE SPACE PROVIDED. THE COURT STRONGLY DISAPPROVES OF STATING CLAIMS OUTSIDE THE SPACE PROVIDED.

Begin statement of claim: I started work at Fed ex in november of 2006 as a part-time parcel assistant. In may of 2007 I was told that if I wanted to become full-time, I could go to the north docks and be the lead man which was a full-time position with a higher pay rate. I did the job in its fullest capacity for two months. I was made full-time after two weeks. I talked to Dave freisner our Hub manager because I didn't get a raise. This was after I complained to my shift supervisor Darryl Kohlmeier, about my job title or pay rate change. Even though I had been doing the job for more than two months, Dave freisner told me he didn't need a lead person on third shift. Even though that was the job I had been doing for two and a half months. The job was posted by the front door and outside of daves office when I mentioned that it was posted I was told that the posting were old and if I couldn't accept it I could always go work somewhere else the fedex name carries well. One month later a white woman was hired for the position which I was told didn't exist. After two months she quit then a part time white man was promoted to the job given the pay rate and title after one week of doing the job that I did for over two months without compensation. I asked Darryl why I wasn't given the job he said it wasn't available when I was doing it. Somehow it became available after I stepped down due to a lack of

STATEMENT OF CLAIM CONTINUED

equal treatment. I wasn't told that I did a bad job even or that I wasn't needed anymore. When I refused to continue doing a job I was told didn't exist. I was taken off the forklift and made to load packages in the trucks which is an entry level position which I still do to this day. I have been somewhat blacklisted and denied every other job in the building I have applied for since this incident. Prior to going to the north docks I started as a package loader then moved to driving forklift everyday. After the north dock incident I was taken off the forklift and was told that there were too many lift drivers since then six white men have been hired trained and five have quit all of which were trained to and allowed to drive forklift after I was told there were too many drivers. There are severe racial disparities in the company's hiring practices. In all the shift there are only two black managers and no black maintenance men, full time equipment operators, or forklift drivers.

IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

I have suffered extreme mental anguish causing me to doubt my self worth and value as a person. I would like Five million dollars or an agreed upon amount. These complaints I have made at fed ex aren't the first. But the loss of a substantial amount of money will force the company as a whole to restructure its hiring practices and acknowledge the error of their ways and their managers. It is sad that more the forty years after the civil rights act that qualified people are held back based on their race.

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 21st day of September, 2009.

Michael Sy
(Signature of Plaintiff(s))